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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/656,482	09/07/2000	Tsutomu Yamada	YKI-0047	2320

7590 06/19/2003
Cantor Colburn LLP
55 Griffin Road South
Bloomfield, CT 06002

EXAMINER

BERCK, KENNETH A

ART UNIT	PAPER NUMBER
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2879

DATE MAILED: 06/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/656,482

Applicant(s)

YAMADA ET AL.

Examiner

Ken A Berck

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 February 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 and 37-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-35 and 37-46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Amendment A, filed 2/4/2003, has been entered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-7, 9-12 and 38-45 are rejected under 35 U.S.C. 102(e) as being anticipated by Matsuura et al. (US 6175186).

Regarding claims 1, 38, 42, Matsuura discloses an organic electroluminescent display device with a display region having an organic electroluminescent element formed between a pair of substrates with a first and second electrode and an organic EL layer formed between and a resin having a desiccant mixed therein is disposed between the substrates.

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Regarding claims 2 and 39, Matsuura discloses the substrates adhered to one another by a sealing material disposed surrounding the display region.

Regarding claims 3 and 40, Matsuura discloses the resin is used as a sealing material.

Regarding claims 4, 10 and 41, Matsuura discloses the resin is cured by UV irradiation.

Regarding claims 5 and 11, Matsuura discloses the resin is disposed surrounding the display region.

Regarding claims 6 and 43, Matsuura discloses the display region having an organic el formed on a first substrate, a transparent second substrate facing the display region adhered to the first substrate, a color component between the second substrate and the display region.

Regarding claim 7 and 44, Matsuura discloses the display region having an organic el formed on a first substrate, a transparent second substrate facing the display region adhered to the first substrate, a spacer of desiccant between the second substrate and the display region.

Regarding claims 9, 12 and 45, Matsuura discloses a self emissive element.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8, 14, 26, 35 and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuura et al. (US 6175186).

Regarding claims 8, 14, 26, 35 and 46, Matsuura discloses the desiccant mixed with the resin and all of the above claim limitations but fails to clearly point out a ratio of at least 10 wt% for the desiccant.

Since Matsuura teaches the general conditions (i.e. desiccant in the resin) it would have been obvious to one having ordinary skill in the art at the time the invention was made to select the most appropriate range for the wt% of desiccant, since discovering the optimum or workable ranges involves only routine skill in the art.

Claims 13, 15-25, 27-34, 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuura et al. (US 6175186) in view of Ebisawa et al. (US 6,284,342).

Matsuura discloses all of the above claim limitations but fails to clearly point out the particle diameter of the desiccant powder being 20 μm or less, a groove formed in one of the substrates on a side facing the other substrate.

Regarding claims 13 and 34, Ebisawa discloses the particle diameter of the desiccant powder being 20 μm or less in order to avoid a drop in water absorption.

Regarding claims 15-25, 27-33 and 37, Ebisawa discloses a groove formed in one of the substrates on a side facing the other substrate in order to substantially eliminate the influence of moisture and have a long lifetime.

Hence it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the display of Matsuura with the particle diameter of the

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desiccant powder being 20 μ m or less in order to avoid a drop in water absorption, and a groove formed in one of the substrates on a side facing the other substrate in order to substantially eliminate the influence of moisture and have a long lifetime, as taught by Ebisawa.

Response to Arguments

Applicant's arguments with respect to claims 1-35 and 37 have been considered but are moot in view of the new ground(s) of rejection.

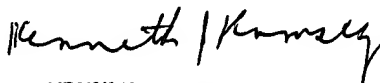
Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ken A Berck whose telephone number is (703)305-7984. The examiner can normally be reached on Mon-Fri 8:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel can be reached on (703)305-4794. The fax phone numbers for the organization where this application or proceeding is assigned are (703)308-7382 for regular communications and (703)308-7382 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-0956.

kab 
June 12, 2003


**KENNETH J. RAMSEY
PRIMARY EXAMINER**